



**House Bill No. 5096**

**Public Act No. 12-16**

***AN ACT CONCERNING THE FIREARMS EVIDENCE DATABANK.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 29-7h of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2012*):

(a) As used in this section:

(1) "Firearms evidence databank" means a computer-based system that [scans a test fire and stores an image of such test fire in a manner suitable for retrieval and comparison to other test fires and to other evidence in a case] stores images of fired components of ammunition in a manner suitable for retrieval and comparison to images of other fired components of ammunition stored in the databank;

(2) "Handgun" means any firearm capable of firing rim-fire or center-fire ammunition and designed or built to be fired with one hand;

(3) "Laboratory" means the Division of Scientific Services forensic science laboratory within the Department of Emergency Services and Public Protection;

(4) "Police department" means the Division of State Police within the

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Department of Emergency Services and Public Protection or an organized local police department;

(5) ["Test fire"] "Fired components of ammunition" means discharged ammunition consisting of a cartridge case or a bullet or a fragment thereof, collected after a [handgun] firearm is fired and containing sufficient microscopical characteristics to compare to other discharged ammunition or to determine the [handgun] firearm from which the ammunition was fired.

(b) (1) The Division of Scientific Services shall establish a firearms evidence databank. [Test fire evidence submitted to the laboratory or collected from handguns submitted to the laboratory shall] Evidence consisting of fired components of ammunition may be entered into such databank in accordance with specific procedures adopted by the Commissioner of Emergency Services and Public Protection, in the regulations adopted pursuant to subsection (f) of this section.

(2) The firearms evidence databank may be used by laboratory personnel to (A) compare two or more cartridge cases, bullets or other projectiles submitted to the laboratory or produced at the laboratory from a [handgun] firearm, or (B) upon the request of a police department as part of a criminal case investigation, verify by microscopic examination any resulting match, and shall produce a report stating the results of such a search.

(3) Any image of a [cartridge case, bullet or fragment thereof] fired component of ammunition that is not matched by a search of the databank shall be stored in the databank for future searches.

(4) The Division of Scientific Services may permit a firearms section of a police department that complies with all laboratory guidelines and regulations adopted by the commissioner pursuant to subsection (f) of this section regarding the operation of the firearms evidence databank

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to (A) [collect test fires from] test fire handguns that come into the custody of the police department and collect fired components of ammunition from such test fires, (B) set up a remote terminal to enter [test fire] images of fired components of ammunition directly into the databank, and (C) search the databank.

(c) (1) Except as provided in subdivision (4) of subsection (b) of this section and subsection (d) of this section, a police department [shall] may submit to the laboratory any handgun that comes into police custody as the result of a criminal investigation. [, as found property, or for destruction, prior to the return or the destruction of the handgun.]

(2) The laboratory [shall collect a test fire from] may test fire each submitted handgun [within sixty days of submission] and collect fired components of ammunition from such test fires. The laboratory shall label the [test fire] fired components of ammunition with the handgun manufacturer, type of weapon, serial number, date of the test fire and name of the person test firing the handgun and collecting the [test fire] fired components of ammunition.

(d) (1) [A police department shall collect a test fire from every handgun issued by that department to an employee not later than six months after October 1, 2001.] On and after October 1, 2001, a police department shall [collect a test fire from] test fire every handgun to be issued by that department before the handgun is so issued and collect the fired components of ammunition from such test fire. Any police department may request the assistance of the Division of State Police or the laboratory [to collect a test fire] in test firing a handgun and collecting such fired components of ammunition.

(2) The police department shall seal the [test fire] fired components of ammunition in a tamper-evident manner and label the package with the handgun manufacturer, handgun type, serial number and [the]

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name of the person test firing the handgun and collecting the [test fire] fired components of ammunition. The police department shall submit the [test fire] fired components of ammunition and two intact cartridges [of the same type of ammunition used for the test fire to the laboratory] that are representative samples of the ammunition used by the department in its service handguns.

(e) The laboratory may share the information in the firearms evidence databank with other law enforcement agencies, both within and outside the state, and may participate in a national firearms evidence databank program.

(f) The commissioner shall adopt regulations, in accordance with the provisions of chapter 54, to carry out the purposes of this section.

Approved May 14, 2012